

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ORDER

BOARD OF TRUSTEES OF THE AFTRA
RETIREMENT FUND, in its capacity as a
fiduciary of the AFTRA Retirement Fund,
individually and on behalf of all others similarly
situated,

Plaintiff,

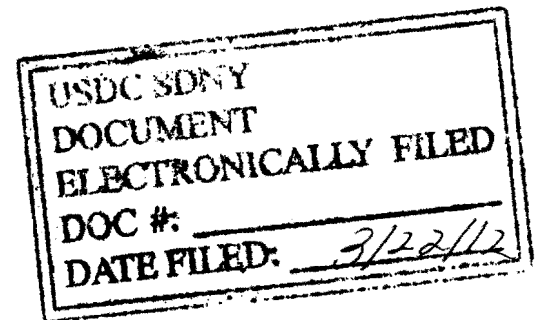
v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

No. 09-cv-00686 (SAS) (DF)

ECF Case



BOARD OF TRUSTEES OF THE IMPERIAL
COUNTY EMPLOYEES' RETIREMENT
SYSTEM, in its capacity as a fiduciary of the
Imperial County Employees' Retirement System,
individually and on behalf of all others similarly
situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

No. 09-cv-03020 (SAS) (DF)

ECF Case

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THE INVESTMENT COMMITTEE OF THE
MANHATTAN AND BRONX SURFACE
TRANSIT OPERATING AUTHORITY
PENSION PLAN, in its capacity as a fiduciary of
the MaBSTOA Pension Plan, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiff,

v.

THOMAS P. DiNAPOLI, COMPTROLLER OF
THE STATE OF NEW YORK, in his capacity as
Trustee of the New York State Common
Retirement Fund,

Third-Party Defendant.

No. 09-cv-04408 (SAS) (DF)

ECF Case

**[PROPOSED] ORDER STAYING DEADLINE FOR THIRD-PARTY
DEFENDANT THOMAS P. DiNAPOLI, COMPTROLLER OF THE STATE OF
NEW YORK, IN HIS CAPACITY AS TRUSTEE OF THE NEW YORK STATE
COMMON RETIREMENT FUND, TO ANSWER OR OTHERWISE RESPOND
TO THIRD-PARTY COMPLAINT OF DEFENDANT AND THIRD-PARTY
PLAINTIFF JPMORGAN CHASE BANK, N.A.**

WHEREAS, on January 3, 2012, Thomas P. DiNapoli, Comptroller of the
State of New York (the "Comptroller's Office"), in his capacity as Trustee of the New
York State Common Retirement Fund ("NYSCRF"), was served with the Third-Party
Complaint ("Third-Party Complaint") of Defendant and Third-Party Plaintiff JPMorgan

Chase Bank, N.A. ("JPMC Bank") asserting claims against the Comptroller's Office for equitable indemnification and, alternatively, contribution (the "Third-Party Action");

WHEREAS, this Court previously considered and granted an extension of time of up to March 26, 2012 for the Comptroller's Office to respond to the Third-Party Complaint;

WHEREAS, on March 16, 2012, Plaintiffs in the underlying class litigation filed a motion for preliminary settlement approval which, if approved, would dispose of the Third-Party Action;

WHEREAS, JPMC Bank does not object to the requested extension of time for the Comptroller's Office to answer or otherwise respond to the Third-Party Complaint, and neither party believes an extension of the deadline would unduly prejudice any party to these consolidated actions;

IT IS HEREBY ORDERED:

1. The due date for the response by the Comptroller's Office to the Third-Party Complaint is taken off calendar. Should the proposed settlement submitted by class Plaintiffs on March 16, 2012 fail to win final approval or otherwise be terminated for any reason, the Comptroller's Office will have until thirty (30) days after such date to answer or otherwise respond to the Third-Party Complaint.

SO ORDERED.



SHIRA A. SCHEINDLIN
UNITED STATES DISTRICT JUDGE

3/21/12